

Mr Greg Thomson
Engineer – Infrastructure Projects
NSW Department of Industry – Lands and Forestry
PO Box 2185
DANGAR NSW 2309

Dear Mr Thomson,

**DETERMINATION OF HARBOUR MASTERS APPROVAL
FOR EXTENSION OF BREAKWATER WHARF AND ASSOCIATED DREDGING AND WORKS
UNDER CLAUSE 67ZN OF THE
PORTS AND MARITIME ADMINISTRATION REGULATION, NSW**

I refer to your request for permission to disturb the sea bed of the Port of Eden in accordance with Clause 67ZN of the *Ports and Maritime Administration Regulation 2012* as part of a proposal for the Breakwater Wharf Extension.

1.0 The Works

Undertake Disturbance of the Seabed, Construction Works, and Dredging at the Port of Eden associated with the Breakwater Wharf Extension.

2.0 Consent

I, the Harbour Master for Port Authority of New South Wales - Eden, pursuant to Clause 67ZN of the *Ports and Maritime Administration Regulation 2012*, give permission to the required river bed disturbance referred to in Section 1.0 – The Works, as detailed above, subject to compliance with the Conditions of Approval as attached in Schedule 1.

Yours sincerely,



Paul Webster
Harbour Master

14 June 2017

YAMBA

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Yamba NSW 2464
T: 61 2 6646 2002

NEWCASTLE

PO Box 663
Newcastle NSW 2300
T: 61 2 4985 8222

SYDNEY

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Millers Point NSW 2000
T: 61 2 9296 4999

PORT KEMBLA

PO Box 89
Port Kembla NSW 2505
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EDEN

PO Box 137
Eden NSW 2551
T: 61 2 66461596

SCHEDULE 1

CONDITIONS OF APPROVAL

Application made by: NSW Department of Industry – Lands and Forestry

For the Following: Breakwater Wharf Extension and Associated Dredging and Works

Submitted information: Request for Harbour Master's Approval
Eden Breakwater Wharf Environmental Impact Statement
Eden Breakwater Wharf Response to Submissions Report

Definitions:

the Proponent is taken to include NSW Department of Industry – Lands and Forestry inclusive of any agents, contractors, consultants or persons acting on the Proponents behalf.

1. Duration

Harbour Master permission to disturb the bed of the Port of Eden applies for the duration of the construction and works between July 2017 and March 2019.

2. Other Approvals

All State and Commonwealth licences, permits and approvals shall be obtained and complied with as required throughout the dredging and construction works. No condition of this approval removes the obligation to obtain, renew or comply with such licences, permits or approvals.

3. Prevention of Pollution of Waters

The Proponent shall take all precautionary measures to prevent the pollution of waters of the Port of Eden by oil, oily substances, sediments and other noxious substances.

The Proponent shall ensure any discharge activities are within permissible parameters.

Immediately upon becoming aware of any pollution incident or pollution activity, the Proponent shall notify Port Authority of New South Wales (in addition to any other required notifications) on 0438 374 034 (business hours) or via email pwebster@portauthoritynsw.com.au (24hrs).

Any pollution incident or pollution activity, the Proponent shall contain and clean up to the satisfaction of the Port Authority of New South Wales and as defined by other regulatory authorities licences and approvals.

Any contamination of the general port area resulting will be removed by the Proponent to the satisfaction of the Port Authority of New South Wales and as defined by other regulatory authorities licences and approvals.

4. Prevention of Marine Pests

The Proponent shall take all precautionary measures to prevent the spread of harmful aquatic organisms.

Domestic biofouling will be managed through Best Practice Industry Guidelines. This will require any vessels, dredges, barges, or other floating equipment associated with the proposal to be free of biofouling prior to entry in the Port. The Proponent shall ensure all domestic vessels, dredges, barges or other floating equipment associated with the proposal are compliant with Industry Guidelines.

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5. Port Security

The Proponent shall comply with all requirements of the Commonwealth Maritime Transport and Offshore Facilities Security Act 2003 and Regulation 2003, and any security related directions or requests from the Port Authority of NSW (as Port Operator) which may arise. The Proponent shall ensure that any requirements relating to port security zones and/or restricted areas are met.

As required by the Maritime Transport and Offshore Facilities Security Act 2003, all security related incidents occurring within the Port of Eden shall be immediately reported to Port Authority of NSW (as Port Operator).

6. Dangerous Goods

The Proponent shall ensure that all approvals and permits for any dangerous goods required in connection with the proposal are obtained and complied with, including obtaining relevant clearances from Port Authority of New South Wales.

7. Navigation

It is further noted that in accordance with the *Ports and Maritime Administration Regulation*, the Harbour Master reserves the right to require ongoing navigational amendments if deemed necessary. In the event of any significant interference with navigation in the port, the Proponent will be required to undertake remedial action immediately as directed by the Harbour Master.

8. Port Operations

Prior to any vessel or floating equipment associated with the works entering the Port of Eden, the Proponent shall prepare in consultation with Port Authority of New South Wales a Port Operations Management Plan to the satisfaction of the Harbour Master.

The Port Operations Management Plan shall address but not be limited to:

- navigation (including movement of barges and interaction with other vessels).
- The establishment and marking of a construction zone. Any buoys used to mark plant and equipment are to be special marks in accordance with IALA Buoyage System A. Lateral marks are not to be used unless agreed in advance with the Harbour Master.
- details of any tie-up facilities for floating plant and equipment
- communication (including communication with the Vessel Traffic Information Centre and 24 hour contact details for key personnel during any waterborne phase of works)
- notification requirements
- certification of operators if required
- risk assessments for maritime activities

The Port Operations Management Plan is to be amended as required to the satisfaction of the Harbour Master.

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